

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JULE GRAHAM, Individually
and on behalf of all others
similarly situated,

Plaintiff,

v.

Civ. No. 22-0305 KG/GJF

BLUE CROSS AND BLUE SHIELD
OF NEW MEXICO,

Defendant.

ORDER

Defendant Blue Cross and Blue Shield of New Mexico (Defendant) seeks leave to file a surreply in opposition to Plaintiff Julie Graham's (Plaintiff) Motion to Remand. (Doc. 21). Filing a surreply in this District "requires leave of the Court." D.N.M.LR-Civ. 7.4(b). A surreply may be appropriate when new matters are raised, for the first time, in a reply brief. *See Smith v. State Farm Ins. Cos.*, No. 08CV105 MCA/LCS, 2008 WL 11322946, at *7 (D.N.M. Sept. 24, 2008). Defendant has adequately identified and controverted the purportedly new matters in its instant motion for leave. The Court will consider Defendant's motion for leave in ruling on the Motion to Remand, but finds that a surreply will not be helpful. Therefore, Defendant's Motion (Doc. 21) is denied.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE